

October 10, 2012

**PINE PLAINS PLANNING BOARD MINUTES
OCTOBER 10, 2012
7:30 PM**

IN ATTENDANCE: Don Bartles, Jr., Chairman
Sarah Jones
John Forelle
Ken Mecciarello
Vikki Soracco
Steve Patterson
Kate Osofsky
Peter Salerno, Alternate

ABSENT: Louisa Grassi, Alternate

ALSO PRESENT: Warren Replansky (arrived 7:40 pm)
Sandra David
Drew Weaver
Two members of the public

Chairman Bartles called the meeting to order at 7:30 pm.

Chairman Bartles began by stating that Stan Hirson had asked him what his feeling is about the meeting being videotaped. Bartles stated he would really like the Board to comment on it. Bartles stated he would rather not have it videotaped. Bartles stated Hirson intends to tape and present the meetings unedited as a whole on his website. Hirson stated his website name is Pine Plains Views. Bartles stated he was kind enough to ask the Board's opinion. Soracco asked if he was taping all Board meetings like Town Board and CAC. Hirson stated he is feeling his way and at this time is taping the Town and Planning Boards only. Bartles asked if any editing would be done. Hirson stated the meeting would be presented in its entirety. Hirson stated the Open Meetings Law covers the taping of public meetings. Discussion followed. Bartles stated that Replansky was present when the Town Board meeting was taped and made no comment about it. Bartles stated that the consensus of the Board is that they don't mind.

DALE & BRAD MITCHELL: Dale Mitchell represented the applicant. This is for a proposed sign at the corner of Route 82 and Route 83. Mitchell explained where the property is located and where the proposed sign would be located. Mitchell stated his application as it stands is inaccurate as he wanted to simply replace what was there and now he feels he would like to conform to the current sign regulations. Mitchell stated the sign is

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basically there now with the exception that it is only one of two signs that would go there representing two businesses. Mitchell stated the business location has always housed multiple businesses. Bartles asked for clarification. Mitchell stated in the beginning there was a wholesale hardwood and antique and vintage woods there for many years. He stated antique and vintage woods had a second location but still maintained the location there. Mitchell stated another business called Reclaimed and Recycled Woods had a presence in the warehouse. Mitchell stated Brad Mitchell's second business, which is Floorings.com, is in that warehouse. He stated at one time there were four businesses and there are now three there. Mitchell stated he doesn't advertise Reclaimed and Recycled woods with a sign and Brad is not any longer advertising New England Hardwoods as he is using Floorings.com as the business name. Mitchell stated he intends to have another business rented space there that will be similar in scope to Brad's business and his past business. Bartles asked what the final sign would be advertising. Mitchell stated it would be as it sits now with another sign below it. Discussion followed. Mitchell stated he wants to make the sign conforming to current laws. Mitchell stated he would like to ask for the bonus that is allowed under the existing laws which is 20%. Discussion followed. Jones stated her concern was the placement of the sign on the corner and the possibility of obstruction of driving views. Discussion followed. Bartles stated that the Board would be giving Weaver the approval to interpret a new application, as the one submitted isn't the one being discussed. Bartles stated the Board also has to decide if the applicant meets the standards to receive the bonus and whether or not to grant it. Bartles stated that the Board has in the past put a condition on a multiple sign that each tenant must come in for review before an addition to the sign can take place. Bartles stated if Mitchell agreed to that he thinks the Board would probably give Weaver the authority to make the decision. Discussion followed. Osofsky made a motion that if the new application for the sign meets with the standards with a 20% bonus subject to Weaver's approval the Planning Board sees no problem allowing same; second by Mecciarello. All in favor. Motion passed. Mitchell stated that the zoning code is not clear for a large building with multiple uses. He stated he didn't see multiple buildings on the same lot addressed. Discussion followed. Bartles advised Mitchell to address issues about the zoning law with the Town Board as they have the power to make changes.

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STISSING FARMS: John Reilly represented the applicant. This is a continuation of the discussion of partial release of bond money. Replansky stated he needs three copies of the agreement he drafted signed by the applicant and the bank. Replansky stated once he has that, he can take it to the Town Board and have them approve the agreement. Replansky stated then he can write to the bank stating the Town Board agrees and authorize them to release \$21,000. from the bond. Bartles asked what Replansky needs from the Planning Board. Replansky stated he needs a resolution authorizing the Chairman to sign the agreement and authorizing Replansky to notify the bank on behalf of the Town that the security can be reduced. Bartles asked for a vote in favor of said resolution. All in favor.

STEWART'S SHOP: Charles Marshall represented the applicant. The application is to amend an approved site plan for a proposed 10' by 60' addition to the current building. Marshall gave a quick overview of the proposed addition. This would entail giving up two parking spaces. Marshall stated this would allow them to move the freezer, reconfigure floor space/coolers and add a walk-in beer cooler. Marshall stated the only real change to the exterior would be on the southeast elevation that is opposite Rt. 82, which will be a full panel side. Marshall stated the bathroom would also be moved from the corner behind the existing counter to the corner opposite the front door. Bartles asked Weaver for his comment. Weaver asked for the current square footage. Bartles stated it is 2400 sq. feet and this would take it to 3000 sq. feet. Bartles stated the maximum gross floor area for gasoline service is 2500 sq. feet. Short discussion of zoning code followed. Bartles stated that the 2500 sq. foot maximum being the case, they would have to refer the applicant to the Zoning Board of Appeals for an area variance. Discussion followed as to the category that this business falls under. Replansky stated the definition of convenience store on page 183 allows no more than 4000. sq. feet of gross. Replansky stated his interpretation would mean they would not have to go to the ZBA for a variance. Bartles asked for a motion for approval. Forelle made a motion to approve the amended site plan to include the 10' by 60' foot addition as shown on the plan provided; second by Jones. All in favor. Motion passed.

OTHER BUSINESS: Bartles advised Replansky that the Board had a discussion on videotaping of meetings before he arrived and asked for his comment. Replansky advised that it is permitted as long as it does not interfere with the process of the meeting. Replansky stated the Open Meetings Law allows

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videotaping of public meetings. Bartles asked about it being a record of the meeting. Replansky stated it is not an official record of the meeting.

Patterson made a motion to approve the minutes from August 22, 2012 and September 12, 2012; second by Soracco. All in favor. Motion passed.

Replansky stated he prepared a draft letter to the attorney of the Carvel project in which he attempted to compile and address all of the comments that he received with regard to the escrow agreement. Replansky stated he sent an electronic copy to all Board members and it is not for public consumption as it is an internal working document. He stated it was also sent to the Town Supervisor for distribution to the Town Board for internal review. He stated it is not for public consumption and will not be sent out until the Town Board discusses it.

Motion by Patterson to adjourn at 8:25 pm; second by Soracco. All in favor. Motion passed.

Respectfully submitted by:

Nancy E. Proper
Secretary

Donald Bartles, Jr.
Chairman